



## Austin City Council MINUTES

For MAY 12, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmember Humphrey.

#### MINUTES APPROVED

The Council, on Councilmember Nofziger's motion, Mayor Pro Tem Trevino's second, approved minutes for regular meeting of May 5, 1988 and special meeting of May 3, 1988. (5-0 Vote, Councilmember Urdu out of the room, Councilmember Humphrey absent)

#### CITIZEN COMMUNICATIONS

Ms. Peggy Leverett did not appear. Mr. Richard Suttle discussed the recognition of an Austin historic structure, referring to Council Aide John Hrnecir's 40th birthday. Mr. Tracy Watson went through the criteria needed in order to declare a structure historic. Mr. Hrnecir qualified and was presented with his own City of Austin historic structure plaque. Mayor Cooksey noted that it was the first time an historic structure had been present in the Council Chamber.

#### CABLE COMMISSION REPORT

Mr. Paul Leche presented the report on I-Net Criteria.

#### RESOURCE MANAGEMENT REPORT

Mr. Michael Garrison presented the recommendation concerning two energy code amendments presented and passed by and at the Resource Management Commission meeting.

#### DOWNTOWN COMMISSION

Mr. Michael Garrison, chair of Civic Center Sub-committee, presented a resolution supporting the civic center process.

#### REPORT NOT GIVEN

The Community Development Commission report concerning CDBG

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allocations, was postponed to June 17, 1988, also City Manager report on CDBG Clarification.

## ITEMS POSTPONED

Postponed to May 19, 1988 at 2:00 P.M. is consideration of approval of the selection of professional engineering/architectural program management services (RFP) for the new City of Austin Municipal Airport planning, design and construction program. C.I.P. No. 88/81-05.

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Postponed to May 17, 1988 is consideration of affirming the action of the Austin Housing Finance Corporation (AHFC) allocating \$690,000.00 in Residual Value Bond revenues for first year activities.

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Postponed to May 19, 1988 is approval of the following contract:

- EDWARD WECK, INCORPORATED  
1728 Liberty Lane  
Austin, Texas

- Hemoclips and Appliers,  
Brackenridge Hospital  
Twelve Month Supply Agreement  
Total \$125,976.00 BS8-174

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Consideration of authorizing submission of a Rental Rehabilitation Program Application to the United States Department of Housing and Urban Development (HUD) and accepting the \$561,000.00 Fiscal Year 1988 grant allocation for the City of Austin was postponed to May 17, 1988.

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Public hearings on Capital Improvements Program, paving assessments to be levied on the following, continued to June 9, 1988 with a City Manager Report on June 7, 1988 at 3:00 P.M.:

6:00 P.M. - Montopolis Drive, consisting of one unit covering approximately 17 blocks. C.I.P. No. 78/62-09

6:00 P.M. - Riverside Drive, consisting of one unit covering approximately 30 blocks. C.I.P. No. 73/62-03

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## CIVIC CENTER SITE

Gilbane Company presented their recommendation for site selection and funding plan for the Austin Civic Center. Council

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agreed to have a public hearing May 26, 1988 at 5:00 p.m. to consider approving the program, site selection and funding for the Austin Civic Center. The public hearing will be closed and a vote taken to authorize the project team to proceed with site analysis and schematic design on June 2, 1988.

## RECESS

Council recessed its meeting from 4:25 to 5:00 P.M.

## OFFICE LEASING PROPOSALS

Council had before them for action office space leasing proposals for the purpose of consolidating the location of City of Austin employees.

Motion

Councilmember Nofziger made a motion, seconded by Councilmember Urdy to purchase the Byram properties.

Councilmember Shipman said she could not support buying property at this time because she does not feel it is appropriate to incur more debt. Councilmember Urdy said he felt it did not matter whether the City leases or purchases property, there is still a payment.

Mayor Cooksey said he does not favor the purchase of the Byram properties because: (1) We would not have title to the existing property under the tracts (2) The long term objective for leasing is to have City employees closer together and save money..the location of the Byram properties would still mean employees would have to be shuttled from one department to the other (3) The architects for the Civic Center have set aside a site for the Municipal Office Complex in the same area as the proposed Civic Center. Mayor Cooksey said he would not vote in favor of the motion.

(To be brought back for  
action May 19, 1988)

Roll Call on Motion - FAILED

3-3 Vote, Mayor Cooksey, Councilmember  
Carl-Mitchell and Councilmember  
Shipman voted No, Councilmember  
Humphrey absent .

## BOND COUNSEL

Council had before them for consideration approval of the Acting City Manager's recommendation regarding selection of law firms to act as bond counsel in the issuance, approval, sale and delivery of the Municipal Bonds for the City of Austin.

Motion

Councilmember Carl-Mitchell made a motion, seconded by Mayor Cooksey to approve the following law firms to act as bond counsel in the issuance, approval, sale and delivery of the Municipal Bonds for the City of Austin:

UTILITIES: Fulbright and Jaworski, with Roland Castaneda as the minority firm with 25% participation

GENERAL OBLIGATION: Hutchison, Price, Boyle & Brooks and add a minority firm of their choice who will participate 25%

AIRPORT: Vinson & Elkins and add a minority firm of their choice who will participate 25%

Disclosure work as the underwriter's counsel will be handled by McCall, Parkhurst & Horton

Defer action to a later date on the Convention Center, Leasing/Unique Financings, and Housing/I.D.B.

Friendly Amendment

Councilmember Urdy offered a friendly amendment to include Sherman Stimley as the minority firm for General Obligation and Airport bonds. The friendly amendment was accepted.

Roll Call on Motion with Friendly Amendment

6-0 Vote, Councilmember Humphrey absent.

## ZONING ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, passed through second/third readings of an ordinance amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Councilmember Humphrey absent)

BARRY L. BOWDEN  
C14-85-288.200

7200 Highway 71  
West

From "I-SF-2"  
to "LR" .

First reading on June 18, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

## RESEARCH

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted a resolution authorizing participation in a research project from the American Water Works Association (estimated net cost: \$25,000.00) (6-0 Vote, Councilmember Humphrey absent)

## I-NET

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 12-3 of the Austin City Code of 1981, delegating to the Austin Cable Commission certain duties related to I-Net mileage, modems and modulators and providing for an appeal to Council from decisions by the Cable Commission regarding these duties. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Humphrey absent)

## CAPITAL IMPROVEMENTS PROGRAM

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance declaring the necessity for ordering improvements to the following:

- a. BRODIE LANE, PHASE II, consisting of 1 unit covering approximately 11 blocks. C.I.P. No. 79/62-14

5-0 Vote, Mayor Pro Tem Trevino abstained,  
Councilmember Humphrey absent

- b. CAMERON ROAD, PHASE III, consisting of 1 unit covering approximately 5 blocks. C.I.P. No. 73/62-44

6-0 Vote, Councilmember Humphrey absent

## CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted the following resolutions all in one motion: (6-0 Vote, Councilmember Humphrey absent)

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire the following:

- a. 0.780 of one acre of land in fee simple out of Lot 1, Austin Auto Park, a subdivision situated in the Elisha Allen Survey, Abstract No. 18 and the William Frampton Survey, Abstract No. 230, Williamson County, Texas, owned by Ben David McDavid for the U.S. Highway 183 Improvement Project. C.I.P. No. 85/62-01
- b. 2,396 square feet of land in fee simple out of Lot 2-A of the resubdivision of the Reed Addition, Travis County, Texas, owned by Charles C. Spradling for the U.S. Highway 290 West/SR 71 Expansion Project. C.I.P. No. 85/62-02

- c. 1.824 acres of land in fee simple out of Lot 1, Barton Ridge, Section II, a subdivision in Travis County, Texas, owned by Barton Investors, Ltd. for the U.S. Highway 290 West/SH 71 Expansion Project. C.I.P. No. 85/62-02
- d. 0.947 acre (41,244 square feet) of land in fee simple out of the William Bell Survey No. 24, Abstract No. 116 in Travis County, Texas, owned by Travis Bank and Trust for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- e. 0.452 acre (19,689 square feet) of land in fee simple out of Lots 2, 3, and 4 of Chaparral Village, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 23, Page 29 of the Plat Records of Travis County, Texas, owned by Oak Hill Mini Warehouse, a partnership, for the U.S. Highway 290 West/SH 71 Expansion Project. C.I.P. No. 85/62-02
- f. 1.151 acres (50,133 square feet) of land in fee simple out of Lots 2, 3, and 4 of Austin Auto Park, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet H, Slides 179-181 of the Plat Records of Williamson County, Texas, owned by George R. Hinsley for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- g. 3,739 square feet of land in fee simple out of the Thomas Anderson Survey No. 17 in Travis County, Texas, owned by Abiding Love Lutheran Church for the Convict Hill Road Improvements Project. C.I.P. No. 83/62-28
- h. 0.273 acre (11,907 square feet) of land in fee simple out of Lot 24, Crow Industrial Park South Section Five, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 81, Pages 167-168 of the Plat Records of Travis County, Texas, owned by Crow-Gottesman-Shafer #3 for the U.S. Highway 290 West/SH 71 Expansion Project. C.I.P. No. 85/62-02
- i. 0.020 acre (871 square feet) of land in fee simple out of the James P. Wallace Survey No. 18 in Travis County, Texas, owned by Michael J. Kuhn for the Industrial Streets North (United Drive) Project. C.I.P. No. 85/62-62
- j. 0.140 acre (6,082 square feet) of land in fee simple out of the James C. Irvine Survey No. 122, Abstract No. 334, Williamson and Travis Counties, Texas, owned by Lindsey Family Group, a Texas Joint Venture, for the U. S. Highway 183 Expansion Project. C.I.P. No. 85/62-01

- k. 1.088 acres of land in fee simple out of Lot A of Investors Commercial Subdivision No. 2, Travis County, Texas, owned by Bruce F. Beard, Bernard and Thelma Beard and others for the U.S. Highway 290 West/SH 71 Expansion Project. C.I.P. No. 85/62-02
- l. 1,596 square feet of land for a Temporary Workspace Easement - out of Lot 7, Block "G", Gaston Park, Travis County, Texas, owned by Linda Joyce Clark McIntosh for the Ft. Branch of Boggy Creek Drainage Improvements Phase I. C.I.P. No. 83/60-06

#### Terminal Improvements at Robert Mueller Municipal Airport

Approved a supplemental amendment to the Professional Services Agreement between the City of Austin and the Greiner Austin Team for professional architectural/engineering services required for the planning, design and construction phases of the Interim Terminal Improvements at Robert Mueller Municipal Airport. C.I.P. No. 86/81-01.

#### Contracts

Approved the following contracts:

- a. ROBERT JENTSCH CONSTRUCTION INC. - CAPITAL IMPROVEMENTS PROGRAM -  
P. O. Box 3343 Construction of East 12th Street  
Austin, Texas at Airport Boulevard Intersection,  
Transportation and Public Services  
Department  
Total \$73,464.00 C.I.P. Nos.  
85/62-56 & 87/22-39
- b. AUSTIN PAVING COMPANY - CAPITAL IMPROVEMENTS PROGRAM -  
7800 Shoal Creek Boulevard, Construction of Rocky River  
Suite 142 Road/Westlake Drive, Water and  
Austin, Texas Wastewater Utility Department  
Total \$357,452.95 C.I.P. No.  
85/22-55
- c. AUSTIN PAVING COMPANY - CAPITAL IMPROVEMENTS PROGRAM -  
7800 Shoal Creek Blvd. Suite #142 Construction of Runway 13L-31R,  
Austin, Texas Taxiways L, M, F and Browning Area  
Apron Reconstruction, Aviation  
Department  
Total \$1,076,353.10 C.I.P. No.  
87/81-01

- d. JONES CHEMICALS, INC.  
1777 Haden Road  
Houston, Texas
  - Liquid Chlorine, Water & Wastewater Utility and Parks and Recreation Departments  
Twelve (12) Month Supply Agreement  
Items 1-2 - \$527,025.00 88-0167-DC
- e. CONTEL BUSINESS SYSTEMS, INC.  
8200-A Cameron Road, Suite 172  
Austin, Texas
  - Telecommunications Systems Upgrade/Move, Water and Wastewater Utility Department  
Total \$64,712.00 88-S113-AB

(The following contracts were approved on May 10, 1988)

BURNUP AND SIMS OF TEXAS  
2716 East 5th Street  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Installation of Underground Electric Distribution Facilities for East First Street Historic Streetlighting, Electric Utility Department  
Total \$81,425.00 C.I.P. No. 88/15-01

BURNUP AND SIMS OF TEXAS  
2716 East 5th Street  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Installation of Underground Electric Distribution Facilities for East Sixth Street Historic Streetlighting, Electric Utility Department  
Total \$73,561.00 C.I.P. No. 88/15-01

REATA INDUSTRIAL GAS CORPORATION  
Two Allen Center, Suite 1000  
1200 Smith Street  
Houston, Texas

- Natural Gas Turbine Fuel, Electric Utility Department  
Total \$1,100,000.00 88-0210-OM

#### Court Reporter Services

Approved a contract (RFP) to Capital City Court Reporting Service for Court Reporter services in the amount of \$34,280.00.

#### Austin Nature Center Teacher Training

Authorized submission of an application for a grant in the amount of \$10,000.00 from the Association of Science-Technology Centers for teacher training at the Austin Nature Center. (6-0 Vote, Councilmember Humphrey absent)



Public Hearing Set

Set a public hearing on an appeal of the Office of Land Development Services Department's decision to deny Site Development Permit #87-04-8189, Parking Lot Improvements at the proposed Southwest Austin Soccer Complex: May 19, 1988 at 6:00 P.M.

(5-0 Vote, Mayor Pro Tem Trevino abstained, Council-member Humphrey absent)

APPEAL WITHDRAWN

Mr. Sam E. Dunnam withdrew his appeal of the Planning Commission's decision regarding denial of a Conditional Use Permit in Case No. C14p-87-023.

ZONING CASES WITHDRAWN

Withdrawn from the agenda were the following zoning cases:

- |     |                      |                      |                      |
|-----|----------------------|----------------------|----------------------|
| (1) | -87 NORTHCROSS       | 7696-7730 Northcross | From "LO" & "SF-3"   |
|     | 143 ASSOCIATES, LTD. | Drive                | To "MF-4"            |
|     | By Jerry Harris      |                      | NOT RECOMMENDED      |
| (2) | -80 NORTHCROSS       | 7696-7730 Northcross | Amendment to         |
|     | 158 ASSOCIATES, LTD. | Drive                | Restrictive Covenant |
|     | By Jerry Harris      |                      | NOT RECOMMENDED      |

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

2. Personnel Matters - Section 2, Paragraph g

(c) Municipal Court Clerk

RECESS

Council recessed for executive session from 6:45 to 7:15 P.M.

TAXICAB PERMITS AND INSPECTION

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 870326-I, allocation of additional taxicab permits, to establish the length of time that a taxicab must be in service prior to the allocation inspection. (6-0 Vote, Councilmember Humphrey absent)

Council also directed the sub-committee to reconvene and consider issues when they arise.

## ZONING ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, passed through **SECOND READING ONLY** of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Councilmember Humphrey absent)

RICHARD DAVIS &  
CHARLES BATTS  
C14-85-058

10807 Motheral  
Drive  
607 Ferguson

From "I-SF-2"  
to "CS"  
**SECOND READING ONLY**

WITH CONDITIONAL OVERLAY  
First reading on May 2, 1985, (5-0). Conditions  
have been met as follows: Restrictive Covenant  
incorporating conditions imposed by Council has  
been executed. (Owner is requesting deletion of  
site plan requirement.)

NED EWART & PHILLIP  
MARK  
C14-85-061

602-604 Provines  
Drive

From "I-SF-2"  
to "GR"  
**SECOND READING ONLY**

WITH CONDITIONAL OVERLAY  
First reading on May 2, 1985, (5-0). Conditions  
have been met as follows: Restrictive Covenant  
incorporating conditions imposed by Council has  
been executed. (Owner is requesting deletion of  
site plan requirement.)

## NORTHWEST "B" WATER TRANSMISSION MAIN

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving acquisition of 10,213 square feet of land for Permanent Waterline Easement and 23,850 square feet of land for temporary workspace easement for the Northwest "B" Water Transmission Main Project. C.I.P. No. 85/22-27. (5-0 Vote, Councilmember Nofziger voted No, Councilmember Humphrey absent)

## LEASING AND BROKER SERVICES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving Amendment Number Two to the contract with Alexander and Associates for additional leasing and broker services. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Humphrey absent)

## SOUTHWEST SOCCER COMPLEX

Mr. Charles Jordan, Director of Parks and Recreation Department, presented a report on Development of Southwest Austin Soccer

complex at Circle C Subdivision. (Mayor Pro Tem Trevino excused himself from the Council Chamber for the report. He stated he had to abstain in discussion due to potential conflict.)

After hearing the report, Council asked this item be brought back on May 19, 1988 at 6:00 p.m.

ADJOURNMENT

Council adjourned its meeting at 8:50 P.M.